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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,647	07/11/2002	Christopher P Gerrard	34-116	2765

7590 07/29/2004

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EXAMINER	
COLON, ROCIO	
ART UNIT	PAPER NUMBER
2651	

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/088,647	GERRARD ET AL.	
	Examiner	Art Unit	
	Rocio Colon	2651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 March 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 3.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.
(b) CROSS-REFERENCE TO RELATED APPLICATIONS.
(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
(d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
(e) BACKGROUND OF THE INVENTION.
(1) Field of the Invention.
(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
(f) BRIEF SUMMARY OF THE INVENTION.
(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
(h) DETAILED DESCRIPTION OF THE INVENTION.
(i) CLAIM OR CLAIMS (commencing on a separate sheet).
(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Objections

1. Claim 19 is objected to because of the following informalities: the phrase "to any one of claims" should be replaced by the phrase --to claim-- . Appropriate correction is required.

2. Claim 18 is objected to because of the following informalities: repeating the limitations using the exact words as claimed in claim 17. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6-10, 12-13, 15-16, 19 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Behr et al. (USPN 3,683,273).

Regarding claim 1, Behr et al. disclose a device for preparation of a media storage disc comprising a single monolithic support platform, a rotary carrier arranged for rotation of a media disc supported on said platform (column 3, line 26), a write head arranged for substantially radial movement relative to said carrier and for servo writing of data to said media disc (column 6, line 45) and a certifier head arranged for substantially radial movement relative to said carrier and for verification of the media disc (column 7, lines 60-64).

Regarding claims 12 and 13 Behr et al. disclose a device for preparation of a media storage disc comprising a single monolithic support platform, a rotary carrier arranged for

rotation of a media disc supported on said platform (column 3, line 26), a write head (column 6, line 45) and a certified head (column 7, lines 60-64) arranged for substantially radial movement relative to said carrier and for servo writing and for verification of data, respectively, to said media disc and indirect drive means for driving the rotary carrier, the drive arrangement comprising a motor mounted independently of the rotary carrier, and coupling means for transmitting the drive to the rotary carrier whilst minimizing the transmission of any undesirable vibration (column 3, lines 30-31, it is inherent that a motor is driving the belt to the 700 to 1,000 RPM).

Regarding claims 2, 16 and 19, Behr et al. disclose the rotary carrier, the write head and the certifier head are all carried on air bearing systems (column 3, lines 25-27 and column 5, lines 10-11).

Regarding claim 3, Behr et al. disclose a device which mountings for each of said air bearing systems are formed within said single monolithic support platform, thereby ensuring a common datum for both writing to and verifying the disc (column 6, lines 42-45).

Regarding claims 4, 6, 7, 8, 9 and 15, Behr et al. disclose a device comprising an indirect drive arrangement for driving the rotary carrier, the drive arrangement comprising a motor mounted independently of the rotary carrier, and a coupling for transmitting the drive to the rotary carrier whilst minimizing the transmission of any undesirable vibration (column 3, lines 30-31, it is inherent that a motor is driving the belt to the 700 to 1,000 RPM).

Regarding claim 10, Behr et al. disclose the device is arranged for writing to and verifying at least one of a hard or floppy magnetic disc and a CD Rom (column 1, lines 5-7).

Regarding claim 21, Behr et al. disclose a device for preparation of a media storage disc comprising:

a single monolithic platform, a rotary carrier supported on said platform and arranged for rotation of a media disc on an air bearing system (column 5, lines 10-11), the carrier being driven by a motor mounted independently of the rotary carrier and arranged to drive the carrier via a drive belt column 3, lines 30-31); and

a write head for substantially radial movement relative to said carrier and for servowriting of data to said media disc (column 6, line 45), the write head being carried on an air bearing system systems (column 3, lines 25-27).

5. Claim 11 is rejected under 35 U.S.C. 102(a) as being anticipated by Butts et al. (USPN 6,467,153).

Regarding claim 11, Butts et al. disclose a method of preparing media storage discs comprising the steps of mounting a media disc on a rotary carrier supported on a platform (column 1, lines 24-25), servowriting data to the mounted media disc with a write head (column 6, lines 49-52) and verifying the mounted media disc using a certifier head without removing the media disc from the rotary carrier between the servowriting and verifying steps (column 6, lines 63-67, the servowriting and the verifying steps are performed without moving the disk from the clean room).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 5, 14, 17, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Behr et al. in view of Komatsu et al. (USPN 6,226,254).

Regarding claims 5, 14, 17, 18, Behr et al. fail to explicitly disclose the coupling comprises a resilient coupling. However this limitation is well known in the art as evidenced by Komatsu et al. which disclose a disk drive mechanism comprising a resilient coupling disposed in substantially axial alignment with a rotary carrier (column 2, lines 16-21). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the device of Behr et al. because Komatsu et al. teaches the device may comprise a resilient coupling to reduce the vibration while rotating at high speeds.

Regarding claim 20, Behr et al. disclose a device for preparation of a media storage disc comprising:

a single monolithic platform, a rotary carrier supported on said platform and arranged for rotation of a media disc on an air bearing system (column 5, lines 10-11), the carrier being driven by a motor mounted independently of the rotary carrier (column 3, lines 30-31); and

a write head for substantially radial movement relative to said carrier and for servowriting of data to said media disc (column 6, line 45), the write head being carried on an air bearing system systems (column 3, lines 25-27).

Behr et al. fail to explicitly disclose the motor is arranged to drive the carrier via a resilient coupling. However this limitation is well known in the art as evidenced by Komatsu et al. which disclose a disk drive mechanism comprising a resilient coupling disposed in

substantially axial alignment with a rotary carrier (column 2, lines 16-21). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the device of Behr et al. because Komatsu et al. teaches the device may comprise a resilient coupling to reduce the vibration while rotating at high speeds.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rocio Colon whose telephone number is (703) 305-3947. The examiner can normally be reached on Mon-Thu 8:00a.m.-6:30p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (703)308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rcv
July 14, 2004

SINH TRAN
PRIMARY EXAMINER